

D₇ Draft
being positioned on [the] and extending longitudinally along the second side of the plane,
opposite the first side.

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28. (Amended) The watercraft according to Claim 27 additionally comprising an
exhaust manifold mounted to the engine body on the [second] first side of the plane so as
to communicate with the at least one exhaust port.

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36. (Amended) The watercraft according to Claim 27 additionally comprising an
intake manifold mounted to the engine body on the [first] second side of the plane so as to
communicate with the least one induction port, the expansion chamber being arranged
above the induction port.

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39. (Amended) The watercraft according to Claim 27, wherein the entire expansion
chamber is positioned on the [first] second side of the plane.

COMMENTS

Claims 1-46, 48, and 49 are now pending in the present application, Claims 50-52
having been cancelled without prejudice or disclaimer, and Claims 27, 28, 36, and 39
having been amended.

The attached separate page includes the amended claims and paragraphs of the
specification showing changes relative to the issued patent, in accordance with 37 C.F.R.
§ 1.173(c).

A Supplemental Declaration Under 37 C.F.R. § 1.175 is Forthcoming

Applicants understand that a supplemental declaration in accordance with 37
C.F.R. § 1.175 is required. Thus, Applicants will complete and submit such a
supplemental declaration with a supplemental response.

Original Patent is Forthcoming

At page 2 of the Office Action, the Examiner has indicated that the original patent,
or an affidavit or declaration, must be received before the reissue application can be
allowed. Thus, Applicants will file the original patent or an appropriate affidavit with a
supplemental response, in accordance with 37 C.F.R. § 1.178.

The Drawings Fully Comply With 37 C.F.R. § 1.83(a)

The drawings have been objected to for not including an illustration of the
expansion chamber having "a diverging portion at an upstream end and a converging at a
downstream end." Applicants respectfully traverse this objection.

As explained in the amendment filed April 6, 2001 and in the amendment filed November 8, 2001, Applicants submit that the diverging and converging portions of the expansion chamber are fully disclosed in Figures 7, 8, and 9.

However, in order to expedite prosecution, Applicants have cancelled Claims 50-52. None of the presently pending claims include a recitation of "a diverging portion at an upstream end and a converging portion at a downstream end." Thus, the present objection is moot.

Claims 50-52 Fully Comply With 35 U.S.C. § 251

Claims 50-52 stand rejected under 35 U.S.C. § 251 as being based upon new matter added to the patent for which reissue is sought. Applicants respectfully traverse this rejection.

As explained in the April 6, 2001 and November 8, 2001 amendments, noted above, Applicants submit that the specification and drawings as originally filed fully disclose an expansion chamber having a diverging portion at an upstream end and a converging portion at a downstream end, as recited in Claim 50. As noted above, Claims 50-52 have been cancelled. Additionally, the specification has been amended to delete the description of a diverging portion and a converging portion of the expansion chamber which was originally added to the specification via the amendment filed April 6, 2001. Thus, the present rejection is now moot.

Claims 50-52 Fully Comply With 35 U.S.C. § 112

Claims 50-52 stand rejected under 35 U.S.C. § 112 first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Applicants respectfully traverse this rejection.

As noted above, Applicants submit that the subject matter of Claims 50-52 are fully supported by the specification and drawings as originally filed. However, because Claims 50-52 have been cancelled and because the specification has been amended to delete the addition thereto added via the amendment filed April 6, 2001, the present rejection is moot.

Claims 27-28, 36, and 39 Have Been Amended To Correct Informalities

Claims 27, 28, 36, and 39 have been amended solely to make the claims more easily readable, and not to narrow the scope of the claims.

In particular, Claim 27 has been amended to delete the word "the" from line 10 thereof. Additionally, Claims 28, 36, and 39 have been amended such that the recitations therein agree with the amendment made to Claim 27 in the amendment filed November 8, 2001. Applicants therefore respectfully request entry of these amendments.

CONCLUSION

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims and specification. Accordingly, early issuance of a Notice of Allowance is most earnestly solicited.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicants' attorney in order to resolve such issue promptly.

Respectfully submitted,

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Dated: 8/26/02

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